

AO 91 (Rev. 11/11) Criminal Complaint  
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UNITED STATES DISTRICT COURT  
for the  
Eastern District of Michigan

United States of America  
v.  
Charles Walton

Case: 2:21-mj-30497  
Judge: Unassigned,  
Case No. Filed: 10-22-2021 At 03:38 PM  
USA v. SEALED MATER (CMP)(MLW)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of approximately 10/20/20 to 10/27/20 in the county of Macomb in the  
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. 1344	Bank Fraud
18 U.S.C. 1028A	Aggravated Identity Theft

This criminal complaint is based on these facts:  
See attached affidavit.

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence  
and/or by reliable electronic means.

Date: October 22, 2021

City and state: Detroit, MI

  
Complainant's signature

Special Agent Sean Callaghan  
Printed name and title

  
Judge's signature

Anthony P. Patti, U.S. Magistrate Judge  
Printed name and title

## **AFFIDAVIT**

I, Sean Callaghan, being duly sworn, state the following:

### **I. INTRODUCTION AND AGENT BACKGROUND**

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have investigated a variety of violations, including financial crimes, as an FBI agent for approximately 18 years.

2. The information contained in this affidavit is based on my personal knowledge and observations during the course of this investigation, law enforcement reports that I have reviewed, communications with others who have personal knowledge of the events and circumstances described in this affidavit, and information gained through my training and experience.

3. This affidavit is in support of a complaint and arrest warrant for Charles Walton. Because this affidavit is being submitted for the limited purpose of establishing probable cause, I have not included each and every fact known to me concerning this investigation. Rather, I have set forth only the facts that I believe are necessary to establish probable cause to believe that Charles Walton engaged in bank fraud, in violation of

18 U.S.C. § 1344, and aggravated identity theft, in violation of 18 U.S.C. § 1028A.

## **II. INVESTIGATION AND PROBABLE CAUSE**

4. Charles Choice Walton was indicted in the Southern District of New York for conspiracy to unlawfully transport stolen motor vehicles, in violation of Title 18, U.S.C., Section 2312, and receive, possess, sell, and dispose of stolen motor vehicles, in violation of Title 18, U.S.C., Section 2313. Walton pled guilty to the aforementioned charges and was sentenced to 21 months in federal prison. Walton was scheduled to turn himself in to federal authorities in New York on October 27, 2020.

5. On October 20, 2020, an individual, posing as A.B., purchased a 2019 Cadillac XT5 at Prestige Cadillac in Warren, Michigan. The real A.B. was subsequently interviewed by the FBI and provided complete identification information which is being maintained. The purchaser of the vehicle made a cash down payment of \$4,000.00 and financed the remainder of the purchase price, \$36,654.58, through the Credit Acceptance Corporation (CAC), Southfield, Michigan. The purchaser provided a Michigan Driver's License in the name of A.B. as identification.

The application for credit was submitted via the CAC online system and the documents were signed electronically. The system transmits information to and from the Eastern District of Michigan to and from locations outside of the state of Michigan. There was also a declaration acknowledging electronic signature process that was physically signed by the purchaser and the seller.

6. On October 27, 2020, officers of the Detroit Police Department (DPD) conducted a traffic stop on a 2019 Cadillac XT5 after that vehicle was observed disregarding a traffic signal. The driver and sole occupant of that vehicle identified himself as A.B. (a victim of identity theft whose initials are being used to protect his identity) and presented officers with a Michigan Driver's License in A.B.'s name but with a photograph of Charles Walton. DPD officers observed an open container of alcohol inside the vehicle. DPD officers ascertained Walton's true identity via a fingerprint scanner which was brought to the scene of the traffic stop. Walton was placed under arrest and the vehicle was searched. A search of the vehicle revealed a large amount of cash (\$20,634.00), cellular telephones (1 iPhone and 1 Android), four debit cards (only one of which was in Walton's name), a Michigan Driver's License in the name of T.A., two pieces of notebook

paper with numerous names, Social Security Account Numbers (SSAN), and dates of birth (DOB) written on them. A search of the Android phone pursuant to a federal search warrant revealed that it was being utilized by Charles Walton. The search revealed text messages back and forth between Walton and Pretrial Services informing Walton that he is to turn himself in to FCI Morgantown on the 27<sup>th</sup>.

7. On October 28, 2020, affiant went to Prestige Cadillac in Warren, Michigan and spoke with General Manager J.J., who allowed affiant to review their file related to the sale of a 2019 Cadillac XT5 to an individual purporting to be A.B. The file included a copy of the Michigan Driver's License that was provided by the buyer as identification. Affiant then contacted the DPD and requested a copy of the fraudulent license that Walton provided to officers during the traffic stop as well as his booking photo. The license appeared to be the same one provided by the buyer on October 20, 2020, and the photo appears to depict Charles Walton based on my review of the booking photo as well as affiant's past interaction with Walton. Affiant arrested Walton in Southfield, Michigan on June 5, 2019, on his federal charges out of New York.

8. On November 5, 2020, affiant contacted the real A.B. who advised that he did not purchase a vehicle from a dealership in Warren, Michigan and did not give anyone else permission to do so on his behalf or use any of his identifications or personal information to secure financing to complete such a purchase. A.B. stated that he did not know how his personal information could have been obtained by a third party. A.B. indicated that he has never had a Detroit address or a phone number with a 313 area code.

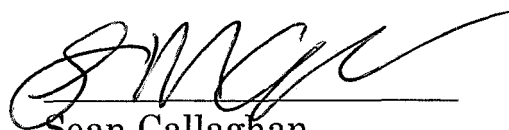
9. On November 12, 2020, affiant contacted R.M., the salesperson from Prestige Cadillac, who sold the above listed vehicle. R.M. confirmed that the purchaser provided a Michigan Driver's License as identification and that he compared the photograph on the license to the person buying the vehicle. R.M. advised that the person depicted in the photograph in the license appeared to be the same person who purchased the vehicle. R.M. indicated that the financing was obtained through an online application and that once the application was complete he printed it out and had the customer sign it.

10. Cell site data pertaining to the phone number associated with the Android cellular telephone utilized by Charles Walton was obtained via

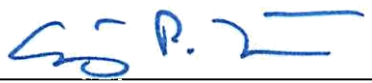
a federal search warrant. Analysis of that data, provided by T-Mobile, revealed that Walton's phone was pinging off a cell tower located just a half mile from the car dealership while the vehicle was being purchased. There are a total of 14 pings at that location on that date, including 6 pings covering the time period from 2:43pm until 4:04pm. Records obtained from the Credit Acceptance Corporation reveal that the person purporting to be victim A.B. electronically signed the credit application at 3:25pm.

11. Based on the above investigation, probable cause exists that Charles Walton engaged in bank fraud, in violation of 18 U.S.C. § 1344; and aggravated identity theft, in violation of 18 U.S.C. § 1028A.

Respectfully Submitted,



Sean Callaghan  
Special Agent, FBI



Honorable Anthony P. Patti  
U.S. Magistrate Judge